

COMBINED DECLARATION AND POWER OF ATTORNEY

915-006.063
(Docket Number)

As a below named inventor, I hereby declare that:

- my residence, post office address and citizenship are as stated below next to my name;
- I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Method and Device for Background Monitoring of an Audio Source**,
- the specification of which is attached hereto unless the following box is checked: ☒. If the box is checked,

the application was filed on **June 13, 2002**
as U.S. Application Number
or PCT International Application Number **PCT/IB02/02173**
and was amended on **December 2, 2004** (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application			Priority Not Claimed
(Application Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Application Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

To the extent permitted by rule or law, I hereby incorporate by reference the Prior Foreign Application(s) listed above.

I hereby claim the benefits under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Provisional Application Number)	(Day/Month/Year Filed)
(Provisional Application Number)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)	(Day/Month/Year Filed)	(Status--patented, pending, abandoned)
(Application Number)	(Day/Month/Year Filed)	(Status--patented, pending, abandoned)

The undersigned hereby authorizes the U.S. firm of Ware, Fressola, Van Der Sluys & Adolphson LLP to accept and follow instructions from the German firm of Becker, Kurig, Straus of Munich and Berlin Germany as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. firm and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. firm will be so notified by the undersigned or his successors and assigns. I hereby appoint the attorney(s) and/or agent(s) assigned to the customer number listed below, as may from time to time be amended, belonging to the U.S. firm of Ware, Fressola, Van Der Sluys & Adolphson LLP, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number

4955



* 04955*
04955
PATENT TRADEMARK OFFICE

Address all telephone calls to: Ware, Fressola, Van Der Sluys & Adolphson LLP at (203) 261-1234. Address all correspondence to:

Customer Number

4955



* 04955*
04955
PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole or first inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)	
<u>Wolfgang EDELER</u>	
<u>[Signature]</u> Inventor's Signature	<u>22. Dec 2004</u> Date
<u>Vreden, Germany</u> Residence	<u>DEX</u> Germany Citizenship
Post Office Address: <u>Adelheidstrasse 34, D-48691 Vreden, Germany</u>	

Full name of second inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)	
_____ Inventor's Signature	_____ Date
_____ Residence	_____ Citizenship
Post Office Address:	

Full name of third inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)	
_____ Inventor's Signature	_____ Date
_____ Residence	_____ Citizenship
Post Office Address:	

☐ Additional inventors are being named on separately numbered sheets attached hereto.